

EXHIBIT B

SUBSEQUENT PAROLE CONSIDERATION HEARING
STATE OF CALIFORNIA
BOARD OF PAROLE HEARINGS

In the matter of the Life)
Term Parole Consideration)
Hearing of:)
HAROLD DYSON)
_____)

CDC Number C-80683

**INMATE
COPY**

CORRECTIONAL TRAINING FACILITY

SOLEDAD, CALIFORNIA

JANUARY 24, 2006

9:26 A.M.

PANEL PRESENT:

Ms. Sandra Bryson, Presiding Commissioner
Ms. Noreen Blonien, Deputy Commissioner

OTHERS PRESENT:

Mr. Harold Dyson, Inmate
Ms. Cattera (phonetic) E. Rutledge, Attorney for
Inmate
Correctional Officers Unidentified

CORRECTIONS TO THE DECISION HAVE BEEN MADE

_____	No	See Review of Hearing
_____	Yes	Transcript Memorandum

Kalani Allred, Peters Shorthand Reporting

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P R O C E E D I N G S

1
2 DEPUTY COMMISSIONER BLONIEN: We are on
3 record.

4 PRESIDING COMMISSIONER BRYSON: All
5 right. This is a subsequent parole considering
6 hearing for Harold Dyson, CDC Number C-80683.
7 Today's date is 1/24/06, and the time is 09:26.
8 We are located at California Training Facility,
9 Soledad. The inmate was received on February 8,
10 1984, committed from Alameda County. The life
11 term began on February 8, 1984. The inmate's
12 minimum eligible parole date is July 31, 1992.
13 The controlling offense for which the inmate is
14 committed is set forth in case number 77612,
15 charging in count one, violation of Penal Code
16 187, murder second, with a gun, Penal Code
17 12022.5, use of firearm. Two years for weapon
18 to be served concurrently, for which the inmate
19 received a total term of 15 years to life. This
20 hearing is being recorded. For the purpose of
21 voice identification, each of us will state our
22 first and last name, spelling the last name.
23 When it is your turn sir, after you spell your
24 last name, please state your CDC number. I will
25 start and then go to my left. Sandra Bryson, B-
26 R-Y-S-O-N, Commissioner, Board of Parole
27 Hearings.

1 DEPUTY COMMISSIONER BLONIEN: I'm Noreen
2 Blonien, B-L-O-N-I-E-N, I'm a Deputy
3 Commissioner.

4 ATTORNEY RUTLEDGE: Catterra E. Rutledge,
5 R-U-T-L-E-D-G-E, Attorney for Mr. Dyson.

6 INMATE DYSON: Harold Dyson, D-Y-S-O-N,
7 C-80683.

8 PRESIDING COMMISSIONER BRYSON: Thank
9 you. We have two correctional peace officers in
10 the room who are here for security purposes.
11 Commissioner Blonien, is there any confidential
12 material in the file, and if so will we be using
13 it?

14 DEPUTY COMMISSIONER BLONIEN: There is
15 none.

16 PRESIDING COMMISSIONER BRYSON: Thank
17 you. All right, I'm passing Exhibit One to your
18 attorney, which is the documents we'll be using
19 today to make sure we're all on the same page.
20 Counsel, do you have those documents?

21 ATTORNEY RUTLEDGE: Yes I do
22 Commissioner.

23 PRESIDING COMMISSIONER BRYSON: All
24 right. Are there any additional documents to be
25 submitted, given that you gave me some parole
26 plans documents?

27 ATTORNEY RUTLEDGE: Nothing other than

1 what we've submitted.

2 **PRESIDING COMMISSIONER BRYSON:** All
3 right. All right sir, today you and your
4 attorney signed the document marked Exhibit Two,
5 regarding ADA Accommodation, Hearing Procedures,
6 and Inmate's Rights. Counsel, do you have any
7 comments or concerns regarding the ADA rights or
8 the inmate's ability to participate in the
9 hearing?

10 **ATTORNEY RUTLEDGE:** No.

11 **PRESIDING COMMISSIONER BRYSON:** Are there
12 any preliminary objections?

13 **ATTORNEY RUTLEDGE:** No.

14 **PRESIDING COMMISSIONER BRYSON:** All
15 right. Will the inmate be speaking with the
16 panel?

17 **ATTORNEY RUTLEDGE:** He will be - not
18 regarding the commitment offense, but on all
19 other issues.

20 **PRESIDING COMMISSIONER BRYSON:** All
21 right. Then if you're going to speak to us
22 today sir, I need to swear you in. Would you
23 raise your right hand please? Do you solemnly
24 swear or affirm that the testimony you give at
25 this hearing will be the truth, the whole truth,
26 and nothing but the truth?

27 **INMATE DYSON:** Yes.

1 **PRESIDING COMMISSIONER BRYSON:** Okay,
2 thank you. All right, I'm going to incorporate
3 by reference for the record the crime as
4 prepared and written by the Senior Deputy
5 District Attorney to the Probation Officer in
6 this case. Sir, we've given you the opportunity
7 to discuss this case, and since you know you do
8 not have to discuss your crime. Is there
9 anything that you would like to state to us at
10 this time regarding the crime or surrounding
11 time frame that would help us further understand
12 or make corrections or additions that you would
13 like to make for the record?

14 **INMATE DYSON:** No.

15 **PRESIDING COMMISSIONER BRYSON:** All
16 right. As the prior crimes, the record shows
17 that the inmate has no prior record as a
18 juvenile, and no adult convictions or arrests
19 prior to the incident offense.

20 **ATTORNEY RUTLEDGE:** Excuse me,
21 Commissioner. I would object to the reading of
22 the letter from the District Attorney to Alameda
23 County. We would prefer that a more accurate
24 record, that would unbiased, would be that of
25 the probation office.

26 **PRESIDING COMMISSIONER BRYSON:** As I
27 understand, the probation officer's report does

1 not contain the details of the incident offense.
2 And therefore we will submit the summary of the
3 crime as it was obtained from the Senior Deputy
4 District Attorney's report. So I'm going to
5 have to overrule you on that. All right sir, as
6 to your personal history, I would also like to
7 incorporate that by reference as set out in the
8 board report that has been - the board report of
9 September 2003 that has been previously written
10 into the record. That was written by G.
11 Peabody, that's P-E-A-B-O-D-Y, Correctional
12 Counselor I, W. Stewart, S-T-E-W-A-R-T,
13 Correctional Counselor II, P. Dennis, the
14 facility captain, and Z. S. Laverse, that's L-A-
15 V-O-R-S-E, Classification and Parole
16 Representative. Sir, I want to give you the
17 opportunity to discuss any part of your personal
18 history that we may not have from prior reports
19 or anything that you would like to discuss with
20 us about your history prior to this offense that
21 may have bearing on it and will help us
22 understand it.

23 **INMATE DYSON:** I don't know exactly what
24 it is you're - you want me to -

25 **PRESIDING COMMISSIONER BRYSON:** Well sir,
26 did - I believe you did a review of your C-file
27 on October 28 or 2004?

1 **INMATE DYSON:** Yes I did.

2 **PRESIDING COMMISSIONER BRYSON:** Okay, and
3 contained in there, and actually it - all board
4 reports have been - your personal history,
5 personal factors, as we have them on record.
6 Are there any corrections you wish to make, or
7 is there anything else you wish to add to your
8 personal history which is excessive, that we may
9 not have?

10 **INMATE DYSON:** Oh, no, I had a chance to
11 review the C-file, so there's nothing that we
12 need to add.

13 **PRESIDING COMMISSIONER BRYSON:** All
14 right, we have read it extensively and reviewed
15 it, so I just wanted to give you an - every
16 opportunity to add anything that you felt was
17 important for us to know.

18 **INMATE DYSON:** No, I had a chance to
19 review it and it was correct.

20 **PRESIDING COMMISSIONER BRYSON:** All
21 right. Thank you. All right then, we'll move
22 along to post-conviction factors with
23 Commissioner Blonien.

24 **DEPUTY COMMISSIONER BLONIEN:** Mr. Dyson,
25 this is your seventh hearing. Your last
26 appearance before the board was March 21, 2005,
27 and there was a six-month stipulation so you

1 could firm up your employment plans and put on
2 the next available calendar, which brought us to
3 today. Before that, you were denied one year on
4 December 15, 2003, and the panel recommended
5 that you remain disciplinary free which you
6 have, upgrade vocationally, participate in self-
7 help, and earn positive chronos. Are you
8 bringing any additional chronos to me today?

9 **INMATE DYSON:** Ones that I believe it may
10 not be in the files, so if you'd like to take a
11 look at these.

12 **DEPUTY COMMISSIONER BLONIEN:** The
13 correctional officer will bring them to me and
14 I'll look through them. So your current custody
15 level is Medium-A. Your classification score is
16 19, which is the lowest possible for a lifer
17 inmate, so in order to go over what you've been
18 doing since your last parole hearing, I've read
19 through your C-file, I read your counselor's
20 report by Counselor Peabody, and it was updated
21 in 6/21/05. I read the psych report that was
22 reviewed by Dr. Jeff Howlin, H-O-W-L-I-N, on
23 2/16/05, and referred extensively back to the
24 psych report of Dr. Joe Reed dated 9/25/03. And
25 you received copies of all that, correct?

26 **INMATE DYSON:** That's correct.

27 **DEPUTY COMMISSIONER BLONIEN:** And you did

1 an Olson (phonetic) review?

2 INMATE DYSON: Yes.

3 DEPUTY COMMISSIONER BLONIEN: Which is
4 good. So since your last hearing, let me review
5 here what you have, because you're right - your
6 C-file, I thought was missing quite a bit of
7 current -

8 INMATE DYSON: Okay, that's why I have
9 the most recent job report.

10 DEPUTY COMMISSIONER BLONIEN: So you work
11 as a porter?

12 INMATE DYSON: Yes.

13 DEPUTY COMMISSIONER BLONIEN: And you
14 have above average reports from your work
15 supervisor, the latest one dated January 5, '06.
16 What's your pay number?

17 INMATE DYSON: It's a \$20 pay number.

18 DEPUTY COMMISSIONER BLONIEN: Okay. And
19 on May 23, you participated in a training class
20 for those assigned, and the class covered the
21 proper use of laundry, the collection form, and
22 this chrono was issued because you
23 satisfactorily mastered the skills, and that was
24 in 5/24/2000.

25 INMATE DYSON: And on the back of that
26 paper, that's where that continues. They're in
27 numerical order.

1 DEPUTY COMMISSIONER BLONIEN: That on
2 March 23 you participated in service training
3 class, and you got a positive chrono for that.
4 Your work supervisor's report - you're a worker.

5 INMATE DYSON: Yes.

6 DEPUTY COMMISSIONER BLONIEN: And you're
7 a good worker.

8 INMATE DYSON: Yes.

9 DEPUTY COMMISSIONER BLONIEN: And you get
10 exceptional or above average. And what shift
11 are you working?

12 INMATE DYSON: I work in the afternoon
13 shift.

14 DEPUTY COMMISSIONER BLONIEN: So tell me
15 what you do all day?

16 INMATE DYSON: The job consists of
17 cleaning the building and working with officers
18 in distributing supplies, and basically that
19 covers it.

20 DEPUTY COMMISSIONER BLONIEN: And then
21 what do you do in terms of self-help?

22 INMATE DYSON: I'm - the last self-help
23 I believe that's there was the Anger Management
24 and the STD, Sexually Transmitted Diseases
25 Course.

26 DEPUTY COMMISSIONER BLONIEN: And in the
27 Anger Management, what did you learn?

1 **INMATE DYSON:** Well, there's a course
2 consisting of discussing in depth as to what
3 beings about those type of feelings that one
4 would get angry about in society, and through
5 the course I've learned on numerous occasions
6 what precipitated my anger factors, that caused
7 - that let me to commit this crime. So I've
8 learned quite a bit on how to control my anger
9 and different emotional feelings.

10 **DEPUTY COMMISSIONER BLONIEN:** In reading
11 over your crime, over and over again, it says
12 how much stress you were under at the time of
13 the commitment offense. And in your
14 institutional stay, you've had the benefit of
15 some individual therapy, I know Dr. Terrini
16 (phonetic), and you've been at CMC - were you at
17 CMC?

18 **INMATE DYSON:** No, Vacaville.

19 **DEPUTY COMMISSIONER BLONIEN:** Vacaville -
20 you were involved in therapy there?

21 **INMATE DYSON:** Yes.

22 **DEPUTY COMMISSIONER BLONIEN:** And since
23 you've been in prison, the stress in the world
24 has gotten worse. So what have you learned
25 through individual therapy, your self-help
26 groups, and maybe what you've been doing and
27 reading in your cell, that prepares you to

11

1 handle the more intensive stress that's out in
2 the world today?

3 **INMATE DYSON:** Well first and foremost,
4 not to take myself as seriously as I did prior
5 to coming to prison. And basically learning how
6 to control my thought patterns about different
7 situations involving my personal life, the job,
8 and dealing with others, such as the incident of
9 driving a car and not being angry when people
10 cut you off, and just basically learning how to
11 control your thought process.

12 **DEPUTY COMMISSIONER BLONIEN:** There's, as
13 we both know, prison is a highly stressful place
14 also.

15 **INMATE DYSON:** Very.

16 **DEPUTY COMMISSIONER BLONIEN:** And in
17 terms of 115's you have had eight, but the last—
18 one was in 1992, and that was an administrative,
19 and of the eight you've had, two have been
20 administrative. You've had five 128's, the last
21 one was in 1998. So when you're out there
22 dealing with the stresses of the institution,
23 how do you handle that? What has allowed you to
24 become disciplinary free?

25 **INMATE DYSON:** Thought process. A total
26 way of dealing - of thinking of how to deal with
27 the different processes of going through

1 whatever it is I'm gonna be going through. And
2 I no longer have those stresses in my life which
3 were job-related, and some brought on by my own
4 personal way of thinking at the time. I no
5 longer have that thought process of thinking
6 that I can take everything on myself. And
7 having dealt with the stresses of being
8 incarcerated this number of years, I definitely
9 learned how to just let things go.

10 **DEPUTY COMMISSIONER BLONIEN:** And since
11 your incarceration, what vocational certificates
12 have you accomplished?

13 **INMATE DYSON:** I believe you have them
14 right there in your hand.

15 **DEPUTY COMMISSIONER BLONIEN:** Well tell
16 me. Help me.

17 **INMATE DYSON:** Like I said, Anger
18 Management, I've had -

19 **DEPUTY COMMISSIONER BLONIEN:** No, I'm
20 talking about vocational now.

21 **INMATE DYSON:** Oh, vocational, okay.
22 Well, there's the watch repair, which is the
23 certificate that's at the bottom of the list
24 that you have. I have chronos showing that I've
25 completed the janitorial services program that
26 was at Vacaville, also clerical skills, typing,
27 so on and so forth. There's a clerk-typist for

1 a number of years prior to this present position
2 that I have as a porter.

3 DEPUTY COMMISSIONER BLONIEN: And what
4 are you currently reading?

5 INMATE DYSON: In the way of what?

6 DEPUTY COMMISSIONER BLONIEN: Book?

7 INMATE DYSON: Basically magazines. I
8 don't really -

9 DEPUTY COMMISSIONER BLONIEN: You don't
10 read books?

11 INMATE DYSON: No.

12 DEPUTY COMMISSIONER BLONIEN: And are you
13 active in religious services?

14 INMATE DYSON: Yes.

15 DEPUTY COMMISSIONER BLONIEN: And - I
16 know you went to the Anger Management that was a
17 Muslim group. Are you active in the Muslim
18 faith?

19 INMATE DYSON: No, I'm a Christian.

20 DEPUTY COMMISSIONER BLONIEN: You're
21 Christian?

22 INMATE DYSON: Yes.

23 DEPUTY COMMISSIONER BLONIEN: And you've
24 never had any history of drug or alcohol?

25 INMATE DYSON: No.

26 DEPUTY COMMISSIONER BLONIEN: You did
27 attend NA or AA for a long time.

1 **INMATE DYSON:** I attended both NA and AA,
2 and along with transcendental meditation, which
3 also helps in the thinking process.

4 **DEPUTY COMMISSIONER BLONIEN:** And that's
5 why you went to AA and NA, to help you in your
6 thinking process?

7 **INMATE DYSON:** Right, to really
8 understand why I thought like I did prior to me
9 coming to prison. And a lot of it was brought
10 on by my own self way of thinking.

11 **DEPUTY COMMISSIONER BLONIEN:** So what
12 else are you doing currently that I should know
13 about?

14 **INMATE DYSON:** Other than staying
15 disciplinary free, just working.

16 **DEPUTY COMMISSIONER BLONIEN:** Makes for a
17 long day.

18 **INMATE DYSON:** Well, I - I meditate at
19 least once a day, and I go outside and I
20 exercise, and I just basically just stay - try
21 to stay disciplinary free.

22 **DEPUTY COMMISSIONER BLONIEN:** And in
23 talking with other panels, they keep asking you
24 for more self-help and I know there's not a lot
25 available in the institution, but are you on any
26 waiting lists?

27 **INMATE DYSON:** I've been on the waiting

1 list for the group therapy, the latest one, for
2 almost two years now. So it's beyond my
3 control.

4 DEPUTY COMMISSIONER BLONIEN: And this
5 institution actually has more than some other
6 institutions. There's that Project Change. Do
7 you know about that?

8 INMATE DYSON: I'm not familiar with
9 that.

10 DEPUTY COMMISSIONER BLONIEN: Are you
11 doing any lifers groups?

12 INMATE DYSON: Well, that's what I'm
13 waiting on. I'm on the - I've been on the
14 waiting list for something like two years now
15 for the - I believe it's Dr. Rainey (phonetic)
16 or it could be Beckman (phonetic), I'm not sure
17 which one has the group now, because it
18 constantly changing.

19 DEPUTY COMMISSIONER BLONIEN: I want to
20 go over your psych report with you, and I'll get
21 these back to you, and it's very good to come in
22 with copies.

23 INMATE DYSON: Okay.

24 DEPUTY COMMISSIONER BLONIEN: Because you
25 have two volumes in your C-File.

26 INMATE DYSON: Right.

27 DEPUTY COMMISSIONER BLONIEN: And

1 sometimes things just get mis-filed or fall out,
2 and that way you have a complete record.

3 **INMATE DYSON:** Yes.

4 **DEPUTY COMMISSIONER BLONIEN:** So when Dr.
5 Howlin met with you, he pretty much referred
6 back to the report done by Dr. Reed, because you
7 were working at the same job that you were when
8 you talked to Dr. Reed, and that you hadn't had
9 any disciplinary action since your last psych
10 report and no mental health issues were noted by
11 Dr. Howlin. So he referred back to Dr. Reeds
12 report, and under current diagnostic impressions
13 in the '03 report, there is no diagnosis of any
14 mental disorder or physical disorders under Axis
15 I, II, or III, and no notation of any drug or
16 alcohol problems. That he talks about that your
17 risk for violent behavior within a controlled
18 setting is considered to be low relative to this
19 level-two population. And he based it on
20 several factors, that you - although you did
21 receive a 115 for fighting in 1988, there hasn't
22 been any other violent 115's. You have no
23 history of juvenile criminal behavior. You're a
24 first-termer. That the incident offense appears
25 to have been a single event born from the loss
26 of self control in a stressful situation. That
27 you have good pre-incarceration work history,

1 and you've maintained a good work history during
2 your incarceration. That talks about the
3 depression that you've been diagnosed with
4 during your institutional stay and you're going
5 through therapy, and there's no diagnosis of
6 depression at this time, and you're not on any
7 medication, is that correct?

8 **INMATE DYSON:** No I'm not.

9 **DEPUTY COMMISSIONER BLONIEN:** He states
10 that he administered two tests to you to assess
11 your risk for future violent behavior. One, the
12 HCR20, indicated a low risk for future violent
13 behavior, and the HARE Psychopathy of Sociopathy
14 indicates non-presence of sociopathy. And
15 notably, the low risk for future violent
16 behavior is the lowest category available.

17 Therefore, in light of these factors, your
18 violence potential is considered to be low
19 compared to other inmates, and if released to
20 the community, your violence potential is
21 clinically estimated to be no greater than that
22 of the average citizen. I guess my only
23 question is, and again it sort of goes back to
24 maintaining your self control. So in '03, did
25 you just reach a plateau and therefore you've
26 reached the ability to handle stress and control
27 yourself, and there's no other self-help needed?

1 Is that what you think?

2 **INMATE DYSON:** Well, I - I believe that
3 I've learned over the years, being in this
4 stressful situation here, that there's other
5 alternatives to violence, and prior to even
6 getting to that stage of thinking, there's other
7 ways of dealing with problems before they become
8 a problem. So over the years -

9 **DEPUTY COMMISSIONER BLONIEN:** So someone
10 comes and cuts you off, you're driving, someone
11 cuts you off now, what's your thought process?

12 **INMATE DYSON:** Oh, totally different. I
13 can just let that go. It doesn't mean anything.
14 It didn't mean anything as much as it did back
15 then, because of the different thought process.
16 So now I have no problem with that.

17 **DEPUTY COMMISSIONER BLONIEN:** Are you
18 going to give me a clue what your thought
19 process is now?

20 **INMATE DYSON:** Well, my thought process
21 is that - just a total different way of thinking
22 about things. I'm not as - not as prone to
23 trying to have it a certain way without giving
24 something. It's no longer a need to try to be
25 100% at whatever I did. I don't have that
26 thought process anymore.

27 **DEPUTY COMMISSIONER BLONIEN:** Does that

1 make you a less-functioning individual then?

2 **INMATE DYSON:** No it doesn't. I - it
3 just - it just a different way of thinking about
4 things. I'm not as - as - what's the word I'm
5 looking for - I'm not as committed to doing
6 something 100% a certain way if it's not
7 necessary. Life is too short, and it's too
8 stressful for that.

9 **DEPUTY COMMISSIONER BLONIEN:** Okay, and
10 I'm going to return back to the Chair.

11 **PRESIDING COMMISSIONER BRYSON:** All
12 right, thank you. Sir, prior to the incident
13 offense, you were very involved in the world of
14 business and performing and job and things like
15 that, am I correct?

16 **INMATE DYSON:** That's correct.

17 **PRESIDING COMMISSIONER BRYSON:** All
18 right. And you just told the Commissioner here
19 that you don't care to read. Actually, that's a
20 bit of a switch or a dichotomy for me to - as to
21 your character. Do you - you don't read, or
22 because you choose not to? It seems to me you -
23 you seem very bright. You present as a very
24 bright individual. And I'm wondering, have you
25 ever had any interest in pursuing your
26 education? I know it's difficult in here, but
27 it is possible, and you seem equipped to do

1 that.

2 **INMATE DYSON:** Well when she asked about
3 what am I reading, in terms of reading books,
4 no, I usually read publications like magazines,
5 newspapers for current events.

6 **PRESIDING COMMISSIONER BRYSON:** I see.

7 **INMATE DYSON:** Leisure time, I may read
8 my bible, and just basically newspapers. I'm
9 not into novels or stuff along that line.

10 **PRESIDING COMMISSIONER BRYSON:** All
11 right.

12 **INMATE DYSON:** And I also read aviation
13 magazines to keep myself abreast of the latest
14 things going on in the commercial aviation
15 industry, so I try to stay up to date on that
16 for when I do - so when I am released, I can be
17 somewhat up to date on the latest things going
18 on in the aviation community.

19 **PRESIDING COMMISSIONER BRYSON:** That's
20 interesting. What would - what's your passion?
21 What would you be interested in doing, given all
22 that - the capability to do that, as -
23 professionally?

24 **INMATE DYSON:** Well, I believe it was at
25 my 2002 board hearing, I presented the board
26 with three letters from three airlines that were
27 - that responded solely based on my resume with

1 the type of work that I do on commercial
2 aircraft. So I'd like to return back to doing
3 that, but given the homeland security situation,
4 I know that that may not be a possibility, so
5 working as - maybe working in a restaurant, or -

6 **PRESIDING COMMISSIONER BRYSON:** Right,
7 okay. The airline industry isn't - is in
8 jeopardy here today anyway, but -

9 **INMATE DYSON:** Exactly.

10 **PRESIDING COMMISSIONER BRYSON:** But I
11 just was interested in knowing what your
12 interests were, never mind what you might be
13 doing -

14 **INMATE DYSON:** Still aviation - still
15 commercial aviation.

16 **PRESIDING COMMISSIONER BRYSON:** That's
17 interesting. Okay.

18 **INMATE DYSON:** And also working with
19 youngsters in the community to possibly talk
20 about things that are going on in prison, and
21 crime in the community, because like I said, I
22 watch news, and I read the newspaper, so I'm
23 concerned in that area also. That's something I
24 - that's somewhat of a passion I would like to
25 get involved with once I am released.

26 **PRESIDING COMMISSIONER BRYSON:** Okay now,
27 you have two children, I believe?

1 INMATE DYSON: Yes.

2 PRESIDING COMMISSIONER BRYSON: And have
3 you kept in touch with them?

4 INMATE DYSON: Through the mail. They're
5 back east.

6 PRESIDING COMMISSIONER BRYSON: And how
7 have they turned out - what are they doing?

8 INMATE DYSON: They're doing fine.
9 They're working, and I have grandkids, so I'm
10 very proud of that.

11 PRESIDING COMMISSIONER BRYSON: All
12 right. What do they do?

13 INMATE DYSON: My oldest son works as a
14 station manager for Avis Car Rental in Ottawa,
15 Canada, and my youngest son is attending
16 college.

17 PRESIDING COMMISSIONER BRYSON: All
18 right. Where?

19 INMATE DYSON: Syracuse, New York.

20 PRESIDING COMMISSIONER BRYSON: Okay, now
21 we just received - what you're presenting as a
22 resume and parole plans. Let's see, I - have you
23 - you have inquired to Delancey Street, which of
24 course is a superior halfway organization. And
25 I have your reply here from them. Obviously
26 many, many applicants wish to get into Delancey
27 Street. If that's what you'd like to pursue?

1 Are you still pursuing that?

2 **INMATE DYSON:** That would be an option.

3 Yes.

4 **PRESIDING COMMISSIONER BRYSON:** Okay.

5 Obviously they will not commit until you are
6 prepared to actually commit to them, and then I
7 see you also have the Allied Fellowship Service.
8 Let me first point out that the Delancey Street
9 Foundation response to you was as of April 26,
10 2004, and that's out of their San Francisco
11 office, and Sandra Munoz, M-U-N-O-Z, the intake
12 coordinator wrote that, "If you're looking to
13 come to Delancey Street upon release, you can
14 call the facility nearest you or just arrive and
15 sit on our bench, where all prospective
16 candidates sit awaiting interview. It's based
17 on counseling - not on counseling, but on
18 learning to live differently, on working,
19 getting educated, and helping others." That
20 requires a two-year commitment. So would you be
21 prepared to make a two-year commitment to
22 Delancey Street?

23 **INMATE DYSON:** Yes, because of what I
24 briefly stated of my interests in trying to talk
25 to the youth about what's going on in the
26 community, the crime rate, and about what can
27 happen being incarcerated.

1 **PRESIDING COMMISSIONER BRYSON:** Right.

2 **INMATE DYSON:** So that peaked my interest
3 a lot.

4 **PRESIDING COMMISSIONER BRYSON:** All
5 right. And then you also have a generalized
6 non-specific response from Allied Fellowship
7 Service. Tell me a little bit about them.

8 **INMATE DYSON:** Well basically, they
9 provide job placement and services in dealing
10 with employment, transportation, clothing, those
11 things, for those who recently being released
12 from incarceration.

13 **PRESIDING COMMISSIONER BRYSON:** So they
14 would attempt to assist you in obtaining all
15 these, including employment?

16 **INMATE DYSON:** Yes.

17 **PRESIDING COMMISSIONER BRYSON:** Okay, and
18 then also a July 8, 2004 letter from Doug, Yee,
19 that's Y-E-E, of the Northern California Service
20 League in San Francisco, stating "The emphasis
21 of this program is to assist men coming out of
22 prison to find employment, and address their
23 career goals and employment issues. Regarding
24 employment, when you are paroled, please report
25 to your parole agent for a referral to the
26 nearest PEP provider." All right. "Should you
27 be paroling to San Francisco or Santa Clara

1 County, please come by and visit us." All
2 right. And then I have in hand your resume,
3 indicating that you would, if paroled to the Bay
4 Area, you would use public transportation, and
5 citing the places you would initially contact.
6 Your secondary employment you have is a general
7 laborer, such as restaurant work as a bus boy,
8 waiter, house cleaning, etc. Car rental
9 service, cleaning cars, driving, etc. I'll also
10 pick up aluminum cans if necessary. All right.
11 And your recreational activities, you list bike
12 riding, beach combing, and counseling the youth
13 of the community about the ills of crime. All
14 right. And then I have also your resume
15 worksheet and your work history. All right.
16 I'd like to clarify what actual certificates you
17 have - you have a certificate of watch repair,
18 do you have a certificate in janitorial service
19 - is that actually a certificate, or my
20 understanding is there are - Commissioner
21 Blonien, is - did you notice a certificate in
22 there -

23 **DEPUTY COMMISSIONER BLONIEN:** That's what
24 - I'm looking through both volumes right now.

25 **PRESIDING COMMISSIONER BRYSON:** Okay,
26 great.

27 **INMATE DYSON:** The chrono's right there in

1 the file.

2 **PRESIDING COMMISSIONER BRYSON:** I'm not
3 looking for chronos, actually. I'm looking at -
4 as a vocational certificate. (Indiscernible)
5 Are you -

6 **INMATE DYSON:** I don't believe that I
7 did.

8 **PRESIDING COMMISSIONER BRYSON:** There is
9 a certification in janitorial service, but it's
10 not available at each institution.

11 **DEPUTY COMMISSIONER BLONIEN:** Right.

12 **PRESIDING COMMISSIONER BRYSON:** Each
13 institution does it different. Some just give
14 chronos. Do you have chronos? But - All right.
15 While we research that, let me go over the
16 support letters that you have received. I have
17 an August 7, 2004 letter: --Who's Geneviere
18 (phonetic) Dyson?

19 **INMATE DYSON:** That's my mother.

20 **PRESIDING COMMISSIONER BRYSON:** Your
21 mother. All right, and I believe we have
22 another letter here that you handed us. I'm not
23 sure if that's the same letter or not.

24 **INMATE DYSON:** There should be copies in
25 the file (Indiscernible) the one that I brought.
26 I have the originals, and the copies were placed
27 in the file.

1 **PRESIDING COMMISSIONER BRYSON:** That's a
2 good thing, and yes, this is - you have the
3 original here. Your mother, Mrs. Dyson's, J-E-
4 N-E-I-V-E-R Dyson, and she writes, "Concerning
5 my son, Harold Dyson, I know he was very sorry
6 for what he did, and has represented over and
7 over again. I believe over the years you have
8 watched and observed him enough to know he is
9 sorry for his wrong, and is ready to come out
10 and start life fresh in the right way." Okay.
11 And I'm glad you brought your originals, because
12 I think this is the only - that's the only one
13 of which we have a copy. So I'll continue with
14 the others. Sir, where do you anticipate
15 paroling to? Where would you live if initially
16 paroled to?

17 **INMATE DYSON:** Back to the San Francisco
18 Bay Area.

19 **PRESIDING COMMISSIONER BRYSON:** And
20 anywhere specifically, or - what would be your
21 specific residence?

22 **INMATE DYSON:** San Francisco.

23 **PRESIDING COMMISSIONER BRYSON:** No, I
24 don't mean the city, I mean address, with
25 someone that - do you have anyone that you would
26 plan to parole with and live with?

27 **INMATE DYSON:** Well that's why I have the

1 different organizations that were offering me a
2 place where -

3 **PRESIDING COMMISSIONER BRYSON:** You would
4 live in a halfway place?

5 **INMATE DYSON:** That's correct.

6 **PRESIDING COMMISSIONER BRYSON:** Okay.

7 **INMATE DYSON:** And I have -

8 **ATTORNEY RUTLEDGE:** Though his brother
9 Donald does offer a place to live as well.

10 **INMATE DYSON:** And that's in Sacramento.

11 **PRESIDING COMMISSIONER BRYSON:** All
12 right. Now, then we have the capability of
13 ordering to a county that was, that would not be
14 in the Bay Area, as long as it's in California.
15 Let me see if I can - all right. So this is
16 Donald Dyson. This letter is undated. I don't
17 know if you have an envelope with a date on it?

18 **INMATE DYSON:** It should be on the back
19 of the letter.

20 **PRESIDING COMMISSIONER BRYSON:** I don't
21 see any date on this. "I'm writing this letter
22 on behalf of my brother, Harold." And this is
23 from Donald Dyson, D-Y-S-O-N. "The years he has
24 been incarcerated and stayed out of trouble
25 should account for some consideration for him
26 having another chance at becoming a productive
27 citizen. I am not taking it lightly the

1 horrible crime placed upon the victim and his
2 family. For that we are all very sorry. But I
3 don't see keeping Harold any longer is going to
4 change the events that took place so long ago.
5 I feel Harold could help others going through
6 things such as he's gone through. I open my
7 home to Harold for as long as he'll live with
8 us, that is my wife and myself. I also run a
9 room and boarding house, and would be willing to
10 offer Harold a position of maintenance helper
11 with a salary between six and seven dollars an
12 hour starting pay. (Indiscernible) for giving
13 him another chance." All right, that's a very
14 substantive offer, I would say, from your
15 brother. He offers both a place to reside and
16 also an initial job for you. And the thing I
17 don't have is any date on that. It would be
18 important to get that updated and make certain
19 that that offer still stands from a
20 documentation standpoint. We also have letters
21 of support from Rose Ofili, O-F-I-L-I, this is
22 dated September 10, 2004. It gives general
23 support. It states that - how do you know Rose
24 Ofili?

25 INMATE DYSON: That is my sister.

26 PRESIDING COMMISSIONER BRYSON: That's
27 your sister, okay. She's in Las Vegas, correct?

1 INMATE DYSON: That's correct.

2 PRESIDING COMMISSIONER BRYSON: She's
3 still in Las Vegas?

4 INMATE DYSON: Yes.

5 PRESIDING COMMISSIONER BRYSON: "I
6 believe Harold has demonstrated his remorse
7 (Indiscernible) improvement in his
8 (Indiscernible) our many telephone conversations
9 and visits. I know Harold is not prison
10 material, and has always been a very good son,
11 brother, and a very good friend. He has
12 maintained working status whenever possible
13 during his incarceration. He has maintained a
14 reasonable and acceptable trouble-free status
15 during his incarceration and has counseled other
16 inmates regarding turning their lives around,
17 and upon their release to do something positive
18 with their lives and not return to prison." And
19 this is from your brother - oops, I'm sorry.

20 INMATE DYSON: The last letter is from my
21 sister, Mosetta (phonetic) - yes.

22

23 PRESIDING COMMISSIONER BRYSON: Your
24 sister? Garner?

25 INMATE DYSON: Mosetta Garner

26 PRESIDING COMMISSIONER BRYSON: Mosetta,
27 all right. That's M-O-S-E-T-T-A, Garner, common

1 spelling. That's September 15, 2005. Writes
2 letter "to ask if you would give my brother,
3 Harold Dyson, parole. This is not something he
4 planned. He had no record in the court system.
5 He never got in trouble with the law before. I
6 hope you will understand - I think the system
7 failed him." And she references your
8 depression. "He's not a hardened criminal, and
9 the whole family regrets the life that was
10 taken." So that's support from your sister.

11 All right. Have I missed anything that you -

12 **INMATE DYSON:** No, that's
13 (Indiscernible).

14 **PRESIDING COMMISSIONER BRYSON:** Okay.

15 All right. Do you have anything further on
16 support or parole plans, Commissioner?

17 **DEPUTY COMMISSIONER BLONIEN:** No. I do
18 have some questions on his certification.

19 **PRESIDING COMMISSIONER BRYSON:** All
20 right. Oh lets - would you like to ask those
21 now?

22 **DEPUTY COMMISSIONER BLONIEN:** Sir, your
23 watch repair was back in like 1987.

24 **INMATE DYSON:** That's correct.

25 **DEPUTY COMMISSIONER BLONIEN:** And then
26 your janitorial experience - is that what you,
27 like working in the clothing room, working as a

1 porter, working as a maintenance clerk -

2 INMATE DYSON: No, the janitorial course
3 that I took, this was at Vacaville, and we
4 actually learned how to strip the wax floors and
5 maintain carpets and things of that nature.

6 DEPUTY COMMISSIONER BLONIEN: And what
7 year was that?

8 INMATE DYSON: That would have been in
9 those chronos there - it would have been 1988,
10 '87.

11 DEPUTY COMMISSIONER BLONIEN: Okay. So -
12 and - and you've been to board plenty of times
13 since then, and the board has always asked you
14 to upgrade vocationally, but since that time, I
15 haven't seen any waiting lists that you're on,
16 or any other attempts that you've made to get a
17 vocation while you're in the institution?

18 INMATE DYSON: No.

19 DEPUTY COMMISSIONER BLONIEN: I just
20 wanted to make sure I was right on that.

21 INMATE DYSON: I have no problem with,
22 like I put in my parole plans, I have enough
23 skills, I believe, to, along with those two that
24 I picked up in here.

25 DEPUTY COMMISSIONER BLONIEN: Well you -

26 INMATE DYSON: I have - I believe I have
27 viable employment skills.

1 DEPUTY COMMISSIONER BLONIEN: You
2 mentioned typing. And I saw at the start you
3 were typing 20 minutes - 20 words a minute, and
4 you got up to 40 words a minute. Are you better
5 than that now?

6 INMATE DYSON: Yes, I'm still typing.

7 DEPUTY COMMISSIONER BLONIEN: And what
8 are you typing now?

9 INMATE DYSON: Personal letters.

10 DEPUTY COMMISSIONER BLONIEN: And what
11 are you typing - how many words per minute?

12 INMATE DYSON: Anywhere from 45 to 50.
13 I'm no longer working as a clerk, but this is
14 just on my time. The clerk was - my clerking
15 skills are still maintained.

16 DEPUTY COMMISSIONER BLONIEN:

17 (Indiscernible) for a long time since - '02?

18 April 17, 2002. And before that you worked in
19 the clothing room for about five months, and you
20 were on yard crew for about a year?

21 INMATE DYSON: That's correct.

22 DEPUTY COMMISSIONER BLONIEN: There's one
23 chrono I was interested in. You got to the
24 visiting room late, and you cancelled the visit.
25 You said because there wasn't enough time.

26 INMATE DYSON: Well what had happened
27 that particular day, I was on the yard, and they

1 called me for the visit late, so by the time I
2 got back into the housing unit to shower, I
3 would have had only five minutes, and that would
4 not have been worth, you know, my family to have
5 traveled that far for that short amount of time.

6 **DEPUTY COMMISSIONER BLONIEN:** But they
7 were here already, right?

8 **INMATE DYSON:** They had been sitting out
9 there for a number of hours.

10 **DEPUTY COMMISSIONER BLONIEN:** So you
11 didn't even go and see them?

12 **INMATE DYSON:** I couldn't.

13 **DEPUTY COMMISSIONER BLONIEN:** So they
14 were frustrated, I'd bet, too.

15 **INMATE DYSON:** Oh yes, very. And it's
16 just happened again.

17 **DEPUTY COMMISSIONER BLONIEN:** Just?

18 **INMATE DYSON:** Most recently.

19 **DEPUTY COMMISSIONER BLONIEN:** But I guess
20 I'd think, you know, five minutes is better than
21 nothing.

22 **INMATE DYSON:** Well, what I failed to
23 mention, is that coming in from the yard dirty,
24 I needed to get back into the housing unit to
25 shower. That wouldn't have left me with no time
26 at all for a visit. I couldn't go out there,
27 coming off the yard dirty.

1 DEPUTY COMMISSIONER BLONIEN: Okay.

2 INMATE DYSON: Right, and it just
3 happened again. My family came up, this was
4 about a month ago. They - the visiting room
5 staff failed to call the unit to let them know
6 that I had a visit, and when I did - when they
7 did call, then they (Indiscernible) status. So
8 my family had been sitting out there for two or
9 three hours waiting.

10 DEPUTY COMMISSIONER BLONIEN: How
11 frustrating.

12 INMATE DYSON: Yeah, it is. But again,
13 dealing with those stressors like that, I've
14 learned to just let it go, I mean, it's not
15 life-threatening, you know, and I won't - it
16 doesn't bother me as much as it used to be,
17 simply because of my way of thinking and dealing
18 with those issues. I don't get angry about it
19 anymore.

20 DEPUTY COMMISSIONER BLONIEN: That's my
21 only question, Commissioner.

22 PRESIDING COMMISSIONER BRYSON: Thank
23 you. All right, we sent out 3042 notices.
24 Those notices go to agencies having a direct
25 interest in your case. We have received a reply
26 from the City of Oakland. This is written by
27 Richard W. Andreotti, that's A-N-D-R-E-O-T-T-I,

1 Sergeant of Police, Oakland Police Department,
2 and James Emery, E-M-E-R-Y, Police Lieutenant,
3 Oakland Police Department. "I've learned the
4 above-named inmate is to appear before the Board
5 of Prison Terms for a hearing on January 24,
6 2006. I reviewed the murder case that sent Mr.
7 Dyson for prison for life, and I have learned
8 the following facts. I researched the case and
9 learned that on February 6, 1983, Ky Chu Hung
10 (phonetic) was murdered at 1500 San Pablo
11 Avenue. Harold Dyson was involved in an auto
12 collision with Ky Hung. While an Oakland Police
13 Officer was present and investigating the
14 collision, Dyson walked to Hung's vehicle and
15 shot Hung to death. According to witnesses,
16 Dyson was not provoked by Hung. Dyson placed a
17 police officer in peril, and nearly forced that
18 officer to discharge his own firearm in
19 protection and fear for himself and others.
20 Dyson was fortunate that the killing of Hung did
21 not initiate a sequence of events that were
22 detrimental to uninvolved citizens. Dyson held
23 no remorse for his actions, and certainly at no
24 time did Dyson acknowledge the sorrow felt by
25 the family and friends of the victim. Harold
26 Dyson showed a cold criminal mind and a reckless
27 disregard for human life in the murder of Ky

1 Hung. At the time of the incident, inmate Dyson
2 clearly represented a significant danger to the
3 Oakland community. It is just such reckless
4 criminal behavior as this that is directly
5 attributable to the high level of fear our
6 residents and merchants must endure in some of
7 our community's neighborhoods as well as the
8 large number of murders that are committed each
9 year in Oakland. This is an example of the type
10 of senseless violence that continues to plague
11 our city. It is obvious that Harold Dyson has
12 no respect for human life. The Oakland Police
13 Department requests that in view of the
14 circumstances surrounding the murder of Ky Hung
15 by Harold Dyson, that Mr. Dyson not be paroled,
16 but rather to be made to serve the remainder of
17 his life sentence." Commissioner, do you have
18 any questions of the inmate at this time?

19 **DEPUTY COMMISSIONER BLONIEN:** No I don't.

20 **PRESIDING COMMISSIONER BRYSON:** All
21 right. Counsel, do you have any questions of
22 the inmate?

23 **ATTORNEY RUTLEDGE:** No.

24 **PRESIDING COMMISSIONER BRYSON:** All
25 right. Counselor, would you like to make a
26 closing statement?

27 **ATTORNEY RUTLEDGE:** Thank you.

1 **DEPUTY COMMISSIONER BLONIEN:** Let me turn
2 the tape, and that way (Indiscernible)
3 [END OF SIDE ONE - TURNED TAPE OVER]

4 **DEPUTY COMMISSIONER BLONIEN:** Okay, we're
5 back on record, side two.

6 **ATTORNEY RUTLEDGE:** In going back, what,
7 22 years now to this commitment offense, Mr.
8 Dyson was working, he was at the time according
9 to reports in his file, trying to support his
10 mother. She was 62 at the time of the offense?

11 **INMATE DYSON:** Yes.

12 **ATTORNEY RUTLEDGE:** And I would note too,
13 for his social history, his mother, according to
14 several reports in his file, was - picked cotton
15 in Mississippi and had ten children?

16 **INMATE DYSON:** Yes.

17 **ATTORNEY RUTLEDGE:** And came to San
18 Francisco in '64 to - and worked to save enough
19 money to bring her nine children that were still
20 under age to San Francisco, to give them a
21 better life. And I think it's really neat that
22 his - he has a son who's in college and another
23 who's a manager at Avis, to see how that, you
24 know, that sort of paid off in some ways, and
25 unfortunately at the time of the offense, Mr.
26 Dyson was trying to support his mom, he was
27 working very hard, he was under stress, he - at

1 the time too, was on Prolixin (phonetic),
2 suffering from several ailments. The same year
3 that he entered his plea bargain, they did -
4 they ordered a psychological evaluation, and -
5 and this was prepared in 1984, February of '84,
6 it says - I think this is - well actually, this
7 is his CDC evaluation, yeah. His CDC
8 evaluation, he admits the offense and fully
9 accepts responsibility. The offense appears to
10 be totally out of character for this man, and
11 apparently was a result of his mental condition
12 at the time as documented in attachments to the
13 POR. He's never been arrested before, and
14 evidenced no propensity toward a criminal
15 lifestyle. He has accepted the fact that he's a
16 lot of time to serve and wants to make use of
17 that time to develop some viable and vocational
18 skills. He should make adjustment and be a
19 conforming inmate." So his condition at the
20 time was quite impaired due to the things that
21 he was suffering, and his - as he said, the way
22 that he approached things, his thought process,
23 he was 26 years old, but still the CDC felt
24 okay, this guy's - this was out of character for
25 him, he's going to do well in prison. And that
26 has been the case for Mr. Dyson. I think
27 they're quite on point. Since he's been in

1 prison, he has completed a voc in watch repair,
2 but he's held numerous jobs. He did - according
3 to him, he completed a janitorial services
4 program, he knows how to type, and his different
5 jobs have really provided him probably the best
6 training for the type of jobs he'll get working,
7 and he may not be able to work at the airport,
8 one thinking he might be eligible for, once he's
9 out for a while, is working for private
10 companies where they, you know, people charter
11 planes. He might be able to work for an outfit
12 like that. So that's possible, because it seems
13 like his interests are in aviation. So I think
14 aside from manual labor, he still may have other
15 opportunities in his chosen profession. And he
16 hasn't had a 115 in 13, almost 14 years. He
17 hasn't had a 128 since 1998, and he's expressed
18 to the board how he's done that - how he's
19 managed to go from somebody flew off the handle
20 beyond what any normal person would do, takes
21 the life of this other person, and you know,
22 took the life of that person, that person's
23 family's lives, his own family, himself, and to
24 a person today who is able to cope with
25 stresses. I mean, as Deputy Commissioner
26 Blonien said, there's a lot more stressful in
27 prison, there's gonna be a lot more stress out

1 there, but he seems to be - he's almost 49?

2 INMATE DYSON: Yes.

3 ATTORNEY RUTLEDGE: And he's grown up
4 quite a bit in the last 22 years, and I think
5 his comments support that he is able to face
6 life situations in a - in a more normal manner,
7 and I think too his - his age is going to make a
8 difference. How he takes care of himself - he
9 hasn't just done self-help with NA and AA, he's
10 been involved in Anger Management, Meditation,
11 and he thinks about the community. He wants to
12 reach out to other youth that are out there.
13 Oakland's a good place - they have a lot of
14 problems there. He did complete life skills
15 with Dr. Bankman (phonetic), and he physically
16 takes care of himself. He hasn't just thrown in
17 the towel. This is his seventh hearing, but
18 he's able to come in here each time, taking care
19 of himself with his sight set on being paroled.
20 And he has also parole plans as far as - he's
21 made contact with all the different agencies
22 that can help him, he's tried to find out who
23 his parole officer is going to be, and he has a
24 back-up plan in Sacramento to live with his
25 brother, but if he gets paroled back to Alameda
26 County, he's prepared to take any job. And as
27 his work record has shown in prison, he will

1 work and get a job. He's not going to be
2 sitting around idle. He's still on a wait list
3 for group therapy, he maintains contact with his
4 family, has an interest in his grandchildren, he
5 keeps abreast of current issues involving
6 aviation, he - enough to know - I believe him
7 when he says he's reading newspapers and
8 magazines to realize it's gonna be difficult
9 with his record to get a job based upon the
10 current security issues involving our nation.
11 And - too, I would note that at the time,
12 another positive thing was, at the time of this
13 terrible offense, he took responsibility for it.
14 He has always taken responsibility for what he
15 did. And through, apparently during his
16 therapy, has been able to function well - very
17 well in prison without the help of medication.
18 So there's not even a risk that if he's out and
19 he doesn't have his medication like we sometimes
20 worry, that he'll be able to function without
21 medication. He's not going to need the POC - it
22 won't be a mandatory situation. So based upon
23 all - everything in his file, his history here
24 at the institution, and his comments today, I
25 would urge the board to give Mr. Dyson a parole
26 date.

27 PRESIDING COMMISSIONER BRYSON: All

1 right. Thank you sir. We'd like to now give
2 you an opportunity to make a closing statement
3 regarding your suitability for parole.

4 **INMATE DYSON:** Well first, I'd like to
5 say, foremost, that I express my sincere sorrow
6 to the victim's family, and that I will continue
7 to pay that debt to society as long as I live.
8 And also that the number of years that I've
9 spent incarcerated, I've learned to - like I
10 say, readjust my thinking about dealing with
11 different stressful situations, and I understand
12 what the Commissioner was saying earlier about
13 society being much more stressful. I do keep
14 abreast via the news, newspapers about what's
15 going on out there, and I feel that I do have
16 the stability of a stable mind in place to deal
17 with that. So, that's all I have to say.

18 **PRESIDING COMMISSIONER BRYSON:** All
19 right. Thank you. We appreciate your comments.
20 We will recess for deliberations. The time is
21 10:17.

22 **R E C E S S**

23 --oOo--
24
25
26
27

1 CALIFORNIA BOARD OF PAROLE HEARINGS

2 D E C I S I O N

3 DEPUTY COMMISSIONER BLONIEN: We are back
4 on record.

5 PRESIDING COMMISSIONER BRYSON: All
6 right, the time is 10:36. In the matter of
7 Harold Dyson, sir, the panel reviewed all
8 information received from the public and you,
9 and relied on the following circumstances in
10 concluding that you are not suitable for parole,
11 and would pose an unreasonable risk of danger to
12 society or threat to public safety if released
13 from prison. The offense was carried out in an
14 especially cruel and callous manner, in that on
15 February 6, 1983, an innocent citizen, Ky Chu
16 Hung was murdered at 1500 San Pablo Avenue. You
17 involved with an auto collision with him, and
18 while an Oakland police officer was present and
19 investigating the collision, you walked over to
20 Hung's vehicle and shot him to death. According
21 to witnesses, you were not provoked by Hung.

22 The offense was carried out in a dispassionate
23 manner, demonstrating an exceptionally callous
24 disregard for human suffering in that you did
25 not check on his welfare afterwards, however to
26 your credit you did surrender to police. It was

1 also carried out in a manner that disregarded
2 public safety, in that others could have been
3 injured or killed, and you had a clear
4 opportunity to cease, but continued your act.
5 As to your prior record, you have no prior
6 record as a juvenile, or arrests or convictions
7 as an adult. To your credit, you were
8 apparently on Prolixin at the time of this
9 offense, and under stress of your mother - for
10 your mother also at the time of this offense.
11 As to your institutional behavior, you have
12 programmed in a limited manner. You are to be
13 commended for staying abreast of current issues
14 in the world. You also have exceptional good
15 worker reports while in prison. Vocationally,
16 you have obtained a certification in watch
17 repair, and have obtained - made progress in
18 janitorial service. Also, you have worked as a
19 clerk and typist. However, you have not had any
20 self-help or therapy since 2002. And the board
21 believes that you have not sufficiently
22 participated in self-help or therapy. You are to
23 be commended for being discipline free, since
24 basically 1998, your last 128 was in 1998, of
25 which you've only received five. You do have a
26 record of eight 115's, serious disciplinary
27 HAROLD DYSON C-80683 DECISION PAGE 2 1/24/06

1 violations, however the last was - last two were
2 administrative, and the last one, also being
3 administrative, occurred in 1992. Now you have
4 displayed positive behavior in prison in that
5 you have reached out and you also have continued
6 to stay in contact with your family. The psych
7 reports of September 25, 2003 by Dr. Reed and
8 February 16, 2005 by Dr. Howlin, that's H-O-W-L-
9 I-N, thank you, did not oppose release, they are)
10 not totally supportive of release, they indicate
11 that you do need (Indiscernible) therapy to
12 continue - one-on-one therapy and self-help. As)
13 to your parole plans, sir, the only firm parole
14 plan that this panel has before it is that of
15 your brother, Donald Dyson, who is offering a
16 residence in the Sacrament area, and initial
17 employment in his room and boarding house for
18 six to seven dollars an hour. Actually this
19 panel finds your application for Delancey Street
20 may not be appropriate, because they are more
21 directed toward treatment for drug abusers. And
22 this panel also examined your parole plans as
23 regards marketable skills. And sir, watch
24 repair is, we feel, an outdated vocation. We
25 feel that your janitorial service, basically, is
26 - has good potential, but you have no job offers
27 HAROLD DYSON C-80683 DECISION PAGE 3 1/24/06

1 - firm job offers, that would enable you to
2 be self-sufficient in the community. So we are
3 looking for more firm job offers in this area.
4 Penal Code 3042 responses indicate opposition to
5 finding of parole suitability, specifically by
6 the Oakland Police Department. In a separate
7 decision, the hearing panel finds it's not
8 reasonable to expect that parole would be
9 granted at a hearing during the following two
10 years. Specific reasons for this finding are as
11 follows. The offense was carried out in an
12 especially cruel and callous manner, in that one
13 Ky Chu Hung was involved in an auto collision
14 with you, and while an Oakland Police Officer
15 was present and investigating the collision, you
16 walked to Hung's vehicle and shot Hung to death.
17 According to witnesses, you were not provoked by
18 Hung. The offense was carried out in a
19 dispassionate manner, demonstrating an
20 exceptionally callous disregard for human
21 suffering, in that you did not check on the
22 victim's welfare, however you were to be
23 commended for surrendering to police. You
24 disregarded in this act the risk to public
25 safety, and you had a clear opportunity to cease
26 or to handle your stress in other ways, but you
27 HAROLD DYSON C-80683 DECISION PAGE 4 1/24/06

1 - continued. The motive for the crime,
2 moreover, was very trivial in relation to the
3 offense, in that most citizens seek other ways
4 to release tension and stress, but you did not.
5 Sir, in denying your parole for two years, we
6 are placing you on the 2008 calendar for your
7 next subsequent hearing. If this decision is
8 final, you will not get paroled. The board will
9 send you a copy of the decision. It will
10 indicate the reasons you did not get paroled.
11 If this decision is not final, the board will
12 set up another hearing. You can read the laws
13 about your hearing at California Code of
14 Regulations, Title 15, Section 2041. The board
15 recommends no more 115's or 128A's, get self-
16 help, learn a trade that's viable in the current
17 market, and get therapy. Sir, I would like to
18 make a statement on behalf of the panel, that we
19 feel that basically, we need to see more from
20 you in terms not only of parole plans, but in
21 terms of your real understanding of what's
22 involved here. You appear to this panel to be
23 still under quite a bit of stress, personally,
24 still a fairly uptight individual. That's not
25 surprising in an institution, certainly, but in
26 order to feel the public safety is not at risk
27 HAROLD DYSON C-80683 DECISION PAGE 5 1/24/06

1 in granting you parole, it's important to us to
2 see that you can reach out, that basically you
3 have moved beyond the level of stress that would
4 make you a threat to society. Commissioner, do
5 you have anything further?

6 **DEPUTY COMMISSIONER BLONIEN:** Yeah, I do.
7 You understand this parole process, I think,
8 very well, in that we're just the first word.
9 And if we had given you a date today, there's
10 levels of review that brings the decision to the
11 Governor's office. And with what you've given
12 us, there's no way the Governor would sign off
13 and give you a date. It's your responsibility
14 to give us the ammunition that allows us to give
15 you a date, and then that date be approved so
16 that you actually get to go out. It may be kind
17 to keep on giving you one-year denials, but the
18 reality is, you have work to do. And unless you
19 get that work done, you're not going to get the
20 date. And you have great potential. And you
21 could get a date, and it could be approved by
22 the Governor, and you've got to get to work and
23 I hope you do it.

24 **PRESIDING COMMISSIONER BRYSON:** All
25 right. Good luck, sir.

26 **INMATE DYSON:** Okay.

27 **HAROLD DYSON C-80683 DECISION PAGE 6 1/24/06**

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1 PRESIDING COMMISSIONER BRYSON: That
2 concludes the hearing. The time is 10:43.

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23 PAROLE DENIED TWO YEARS

MAY 24 2006

24 THIS DECISION WILL BE FINAL ON: _____

25 YOU WILL BE PROMPTLY NOTIFIED, IF PRIOR TO THAT
26 DATE, THE DECISION IS MODIFIED.

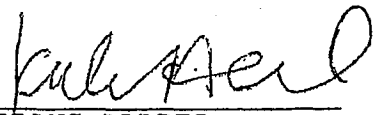
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CERTIFICATE AND
DECLARATION OF TRANSCRIBER

I, KALANI ALLRED, a duly designated transcriber, PETERS SHORTHAND REPORTING, do hereby declare and certify under penalty of perjury that I have transcribed tape(s) which total one in number and cover a total of pages numbered 1 - 50, and which recording was duly recorded at CORRECTIONAL TRAINING FACILITY, SOLEDAD, CALIFORNIA, in the matter of the SUBSEQUENT PAROLE CONSIDERATION HEARING OF HAROLD DYSON, CDC NO. C-80683, ON JANUARY 24, 2006, and that the foregoing pages constitute a true, complete, and accurate transcription of the aforementioned tape to the best of my ability.

I hereby certify that I am a disinterested party in the above-mentioned matter and have no interest in the outcome of the hearing.

Dated FEBRUARY 10, 2006, at Sacramento County, California.


KALANI ALLRED
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